

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	: Group Art Unit: 2856
Michael Barjesteh	:
	:
Serial No.: TBA	: Examiner: David Wiggins
	:
Filed: Herewith	: Date: August 5, 2003
	:
For: Hand Held Flexible Mount Leak	:
Detector	:

DECLARATION UNDER 37 C.F.R. § 1.608(a)

I, Kristine Butler-Holston, declare that:

1. I am a registered patent attorney and an associate at the firm of Mathews, Collins, Shepherd & McKay, P.A., of Princeton, New Jersey. I am one of the attorneys for Applicant in the above-entitled action. I have personal knowledge of the matters set forth herein, and if called upon to testify, I could and would testify competently thereto.

2. Applicant made the subject invention in the United States of America prior to July 5, 2001, the filing date of U.S. Patent No. 6,491,408, entitled "Pen-size LED inspection lamp for detection of fluorescent material," issued December 10, 2002 to Cooper *et al.*


3. Applicant's provisional application, Serial No. 60/304,928, was filed July 12, 2001, one week (*i.e.* less than three months) after the filing date of Cooper *et al.*'s patent.

4. Applicant is entitled to a judgment relative to the patentee pursuant to 37 C.F.R. § 1.608(a).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: August 5, 2003

By: 

Kristine Butler-Holston

Reg. No. 42,376

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PTO/SB/01 (10-00)

Approved for use through 10/31/2002, OMB 0851-0032
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input checked="" type="checkbox"/> Declaration Submitted With Initial Filing OR <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	Attorney Docket Number	818-123 US
	First Named Inventor	BARJESTEH, M.
	COMPLETE IF KNOWN	
	Application Number	TBA/
	Filing Date	TBA
	Group Art Unit	TBA
	Examiner Name	TBA

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Hand Held Flexible Mount Leak Detector

the specification of which (Title of the invention)

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY) [] as United States Application Number or PCT International

Application Number [] and was amended on (MM/DD/YYYY) [] (If applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(e)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(e) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY) Country	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/304,928	07/12/2001	

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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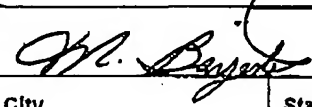
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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> Cust or Bk		 26817 PATENT TRADEMARK OFFICE		<input type="checkbox"/> Correspondence address below	
Name		David P. Krivoschik			
Address		Mathews, Collins, Shephe			
Address		100 Thonet Circle, Suite 300			
City		State		ZIP	
Princeton		NJ		08540-3674	
Country		Telephone		Fax	
US		609-924-8555		609-924-3036	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name		Michael			
Family Name or Surname		BARJESTEH			
Inventor's Signature				Date	
				6-17-2002	
Residence: City		State		Country	
Denville		NJ		USA	
Mailing Address					
Mailing Address 31 Canterbury Road					
City		State		Country	
Denville		NJ		USA	
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name		Family Name or Surname			
Inventor's Signature		Date			
Residence: City		State		Country	
Mailing Address		Citizenship			
Mailing Address		City			
State		ZIP		Country	
Additional Inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.					

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PTO/SB/81 (10-00)

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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT	Application Number	TBA
	Filing Date	TBA
	First Named Inventor	BARJESTEH, M.
	Group Art Unit	TBA
	Examiner Name	TBA
	Attorney Docket Number	818-123 US

I hereby appoint:

☒ Practitioners at Customer Number

OR

☐ Practitioner(s) named below:

26817

PATENT TRADEMARK OFFICE

Name	
Bruce M. Collins	20,066
Diana Dunn McKay	34,586
Timothy X. Gibson	40,618
David P. Krivosilik	39,258
Brian L. Buckwalter	46,585

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

<input type="checkbox"/> Firm or Individual Name	Mathews, Collins, Shephard & McKay, P.A.			
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Address	100 Thanet Circle, Suite 306			
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Country	United States			
Telephone	609-924-8555	Fax	609-924-3038	

I am the:

☒ Applicant.☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	Michael Barjesteh
Signature	<i>Michael Barjesteh</i>
Date	6-17-2002

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

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